

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Jeffrey A. Colborn et al.

Application No.: 10/066,544

Filed: October 19, 2001

For: **FUEL CELL SYSTEM**



Art Unit: 1745

Examiner: Unassigned

TRANSMITTAL OF MISSING PARTS

ATTN: Box Missing Parts

Commissioner for Patents

Washington, D.C. 20231

Sir:

In response to the **Notice to File Missing Parts of Non-Provisional Application** mailed March 18, 2002, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Copy of the Notice to File Missing Parts;
- ☒ Original Combined Declaration and Power of Attorney executed by the inventor;
- ☒ Copy of Filing Receipt with corrections to be made; and
- ☒ Return postcard.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached hereto) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 5, 2002
Date of Deposit

Diana Vilkaitis
Name of Person Mailing Paper

Diana Vilkaitis
Signature of Person Mailing Paper

The fees due are calculated as follows:

Filing Fee for Patent Application (37 C.F.R. § 1.16)	\$370.00
Fee for excess claims over 20 (37 C.F.R. § 1.16)	0.00
Fee for excess Independent Claims	0.00
Surcharge for Multiple Dependent Claims	0.00
Surcharge for late filing of Declaration (37 C.F.R. § 1.16)	65.00
Extension of time fees under 37 C.F.R. § 1.13	0.00
TOTAL FEES SUBMITTED HEREWITH	\$435.00

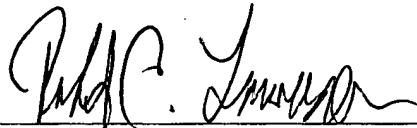
The U.S. Patent and Trademark Office is hereby authorized to charge \$435.00 to our Deposit Account No. **08-3038**, referencing Docket No. 04813.0028.NPUS00. A duplicate copy of this transmittal is enclosed.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. **08-3038**.

If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. **08-3038**.

Respectfully submitted,

Date: April 4, 2002



Robert C. Laurenson, Reg. No. 34,206

HOWREY SIMON ARNOLD & WHITE, LLP
301 Ravenswood Avenue, **Box No. 34**
Menlo Park, CA 94025
FAX No. (650) 463-8400
Telephone No. (949) 759-5269



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/066,544	10/19/2001	Jeffrey A. Colborn	04813.0028.NPUS00

22930
HOWREY SIMON ARNOLD & WHITE LLP
BOX 34
1299 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

RECEIVED
BOOKLET DEPT.
HOWREY SIMON ARNOLD & WHITE
MAR 21 2002

CONFIRMATION NO. 3328

FORMALITIES LETTER



OC000000007658634

WASHINGTON, D.C.

Date Mailed: 03/18/2002



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 435.**

04/17/2002 SSESHE1 00000103 083038 10066544
01 FC:201 370.00 CH
02 FC:205 65.00 CH

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **1A** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the

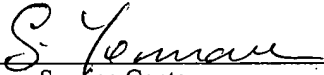
Docketed

3-21-02

date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

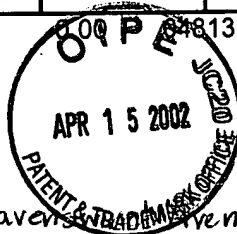
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/066,544	10/19/2001	1745	000	84813.0028.NPUS00	2	4	1

22930 27240

HOWREY SIMON ARNOLD & WHITE LLP
BOX 34

1299 PENNSYLVANIA AVENUE NW 301 Ravenswood Avenue
WASHINGTON, DC 20004 Menlo Park, CA 94025



CONFIRMATION NO. 3328

FILING RECEIPT



OC000000007658633

Date Mailed: 03/18/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jeffrey A. Colborn, Residence Not Provided; Cardiff-by-the-Sea, California
Martin De Tezanos Pinto, Residence Not Provided; Martin de Tezanos Pinto, Carlsbad, California
Stuart I. Smedley, Residence Not Provided; Escandido, California

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 03/16/2002

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

** SMALL ENTITY **

Title

Fuel cell system

Preliminary Class

429

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DOCKET DEPT.
HOWREY SIMON ARNOLD & WHITE

MAR 21 2002

WASHINGTON, D.C.

Docketed

PJ

3-21-02



#6 1745
Howrey Docket No. 04813.0028.NPUS00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Jeffrey A. Colborn et al.

Application No.: 10/066,544

Filed: October 19, 2001

For: FUEL CELL SYSTEM

Art Unit: 1745

Examiner: To be assigned

RECEIVED
APR 18 2002
TC 1700

TRANSMITTAL OF PETITION TO MAKE SPECIAL
UNDER 37 C.F.R. §1.102(c)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- ☒ Petition to Make Special Under 37 C.F.R. §1.102(c);
- ☒ Declaration of Assignee in Support of Petition to Make Special Under 37 C.F.R. §1.102(c) (Exhibit A);
- ☒ Copies of previous decisions to Make Special (Exhibit B);
- ☒ Return postcard.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

April 5, 2002
Date of Deposit

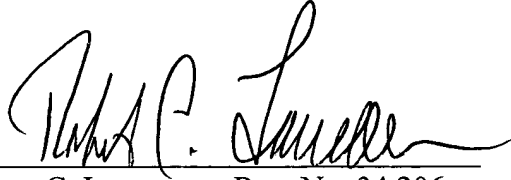
Diana Vilkaitis
Name of Person Mailing Paper

Signature of Person Mailing Paper

Applicant believes no fees are due in connection with this Petition. However, if any fees are in fact due, the Commissioner is hereby authorized to charge to our Deposit Account No. **08-3038** referencing Docket No. 04813.0028.NPUS00.

Respectfully submitted,

Dated: April 4, 2002.

A handwritten signature in black ink, appearing to read "Robert C. Laurenson", written over a horizontal line.

Robert C. Laurenson, Reg. No. 34,206

HOWREY SIMON ARNOLD & WHITE, LLP
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